Court Minutes

January 5, 2009

C058584 THE PEOPLE v.

(Not For Publication)

JOVANY GABRIEL MARTINEZ

The convictions are affirmed, the sentence is vacated, and the matter is remanded for resentencing.

RAYE, J.

We Concur: Scotland, P.J.

Robie, J.

C058854 THE PEOPLE v.

(Not For Publication)

EDWARD LEE HOSMUN II

The judgment is modified to strike the no visitation order with respect to Kevin C.. As modified, the judgment is affirmed. The trial court shall prepare an amended abstract of judgment and forward a copy of the amended abstract to the Department of Corrections and Rehabilitation.

ROBIE, J.

We Concur: Raye, Acting P.J.

Cantil-Sakauye, J.

C057157 GROSSMAN et al. v. KING et al.

(Not For Publication)

The interlocutory judgment of partition is affirmed. The Grossmans shall recover their costs on appeal. (Cal. Rules of the Court, rule 8.278 (a) .)

ROBIE, J.

We Concur: Raye, Acting P.J.

Cantil-Sakauye, J.

C058124 DUCLO v. DUCLO

(Not For Publication)

The trial court order is affirmed. Wife is awarded her costs on appeal.

(Cal. Rules of the Court, rule 8.278 (a) .)

RAYE, J.

We Concur: Scotland, P.J.

Robie, J.

January 6, 2009

C055162 THE PEOPLE v. LAMEL ADAMS

(Not For Publication)

The judgment is affirmed.

SIMS, Acting P.J.

We Concur: Davis, J.

Nicholson, J.

Court Minutes

January 6, 2009, Continued

C055898 THE PEOPLE v.

(Not For Publication)

ANTHONY LANIL McCANTS

The judgment is affirmed.

DAVIS, J.

We Concur: Sims, Acting P.J.

Butz. J.

C056366 THE PEOPLE v. JOHANIS CALHOUN

(Not For Publication)

The judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect that defendant was convicted of burglary on count three and to forward a copy of the amended abstract to the Department of Corrections and Rehabilitation.

HULL, Acting P.J.

We Concur: Robie, J.

Butz, J.

C059347 THE PEOPLE v. LEONARD JOHNSON

(Not For Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Davis, Acting J.

Nicholson, J.

C057239 DEES v. 520 CAPITOL MALL, INC.

(Not For Publication)

The judgment in favor of defendant 520 Capitol Mall, Inc. is affirmed.

Defendant shall recover its costs on appeal.

(Cal. Rules of Court, rule 8.278 (a) (1).)

SIMS, Acting P.J.

We Concur: Davis, J.

Nicholson, J.

C054634 In re RONALD SINGLER on Habeas Corpus (Certified For Publication)

The petition for writ of habeas corpus is granted because the evidence presented at the 2006 parole hearing does not support the Board's finding that Singler was unsuitable for parole at that time. The Board is directed to hold a new hearing within 30 days of the finality of the decision and to find Singler suitable for parole, unless *new evidence* of his conduct and/or change in mental state *subsequent to the 2006 parole hearing* is introduced and is sufficient to support a finding that he currently poses an unreasonable risk of danger to society if released on parole.

SCOTLAND, P.J.

We Concur: Nicholson, J.

Raye, J.

Court Minutes

January 6, 2009, Continued

C052538 GONZALEZ v. BEYER, PONGRATZ & ROSEN, et al.

BY THE COURT:

Appellant's petition for rehearing is granted. The decision filed on December 8, 2008, is vacated.

The above case is ordered on calendar for hearing on Tuesday, February 17, 2009, at 9:30 a.m., and all counsel are directed to appear.

(Not For Publication)

Counsel's attention is directed to the attached memorandum that describes the calendar procedures of this court.

BLEASE, Acting P.J.

January 7, 2009

C057838 THE PEOPLE v.

MARCUS BENJAMIN KNIGHT

The judgment is affirmed.

BUTZ, J.

We Concur: Scotland, P.J.

Hull. J.

C059132 In re H.H.; EL DORADO COUNTY (Not For Publication)

DEPARTMENT OF HUMAN SERVICES v.

S.B.

The orders denying the petition for modification and terminating the parental rights of appellant are affirmed.

BLEASE, Acting P.J.

We Concur: Hull, J.

Robie, J.

C058036 OGHOGHO v. TEICHERT CONSTRUCTION COMPANY WOODLAND

DISTRICT

BY THE COURT:

Appellant's petition for rehearing is denied.

NICHOLSON, Acting P.J.

Court Minutes

January 8, 2009

MISC. ORDER 2009-002

BY THE COURT:

Associate Justice Rodney Davis is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on January 22, 2009, or until his return. (See Cal. Const., art. VI, §3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.

SCOTLAND, P.J.

C055434 THE PEOPLE v.

(Not For Publication)

ANTHONY OSCAR GEROLAGA The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Morrison, Acting P.J.

Robie, J.

C056852 THE PEOPLE v. RANDALL MESKER (Not For Publication)

(Not For Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Blease, Acting P.J.

Cantil-Sakauye, J.

C056968 THE PEOPLE v.

SHAWN TYRONE DAVIS

The judgment is affirmed.

HULL, J.

We Concur: Blease, Acting P.J.

Butz, J.

C057659 THE PEOPLE v.

MICHAEL LEE LANGLEY

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Hull, J.

Robie, J.

(Not For Publication)

Court Minutes

January 8, 2009, continued

C057836 THE PEOPLE v. (Not For Publication)

REAGAN JUAN THOMAS

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Sims, Acting P.J.

Hull, J.

C058363 THE PEOPLE v. (Not For Publication)

JOSEPH MARTIN NUNES

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Sims, Acting P.J.

Hull, J.

C058786 THE PEOPLE v. (Not For Publication)

SHAWN MICHAEL COXE

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Blease, Acting P.J.

Sims, J.

C055368 TECKLENBURG v. THE APPELLATE (Certified For Publication)

DIVISION OF THE SUPERIOR COURT
OF SAN JOAQUIN COUNTY; THE PEOPLE

Having reviewed the record and finding substantial evidence supports

(Not For Publication)

defendant's convictions, we affirm the judgment.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Davis, J.

C058931 In re M.S.; SISKIYOU COUNTY v.

HUMAN SERVICES DEPARTMENT

v. M.L. et al.

The juvenile court's orders are affirmed.

CANTIL-SAKAUYE, J.

We Concur: Blease, Acting P.J.

Sims, J.

Court Minutes

January 8, 2009, continued

C056780 In re NOELLE M.; THE PEOPLE v.

(Certified For Publication)

NOELLE M.

THE COURT:

It is ordered that partially published opinion filed herein on December 16, 2008, be modified...

This modification does not change the judgment.

The petition for rehearing is denied.

FOR THE COURT:

SIMS, Acting P.J. Morrison, J.

Raye, J.

C055799 HEALTH NET OF CALIFORNIA, INC. v. DEPARTMENT OF HEALTH SERVICES

BY THE COURT:

Blue Cross of California, Inc.'s request to publish the opinion filed on December 11, 2008, is denied.

RAYE, Acting P.J.

C055799 HEALTH NET OF CALIFORNIA, INC. v. DEPARTMENT OF HEALTH SERVICES

BY THE COURT:

Appellant's request to publish the opinion filed on December 11, 2008, is denied.

RAYE, Acting P.J.

C055799 HEALTH NET OF CALIFORNIA, INC. v. DEPARTMENT OF HEALTH SERVICES

BY THE COURT:

Santa Clara Family Health Plan's request to publish the opinion filed on December 11, 2008, is denied.

RAYE, Acting P.J.

January 9, 2009

C057606 In re TREBOR B.; THE PEOPLE v. TREBOR B.

(Not For Publication)

The in

The juvenile court's order denying the minor's motion to set aside his admission of June 20, 2005, is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.

Nicholson, J.